GOVERNMENTOF ANDHRA PRADESH

A B S T R A C T

Public Services - Agriculture & Cooperation Department – Disciplinary Matters – ACB (DA) Case - Sri M.Srinivasa Raju, the then Joint Director of Agriculture, Guntur – Allegations of possession of Disproportionate Assets to the known sources of his income - Disciplinary action initiated under A.P.Civil Services (CCA) Rules, 1991 – Subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad - Imposition of the penalty of "Withholding of 10% of Pension for a period of (5) years", under A.P. Revised Pension Rules, 1980 – Orders – Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Ms.No.48

Dated: 17/06/2022
Read the following

1. From the Director General, Anti Corruption Bureau, A.P., Hyderabad, Letter No. Rc.No. 94/RCA-CR.2/97-S1, dt.18.08.1997.
2. Memo.No.Estt.I (1)2830/97, dt.17.10.1997 of the Commissioner & Director of Agriculture, A.P., Hyderabad.
3. G.O.Ms.No.462, A & C (Vig.I) Dept., dt.30.12.2002.
4. From the Director General, Anti-Corruption Bureau, A.P., Hyderabad, Letter Rc.No.94/RCA-CR/-2/97, dt. 04.08.2003.
5. G.O.Ms.No.36, A & C (Vig.I) Dept., dt.31.01.2004.
6. G.O.Ms.No.181, A & C (Vig.I) Dept., dt.28.07.2004.
7. G.O.Rt.No.743, A & C (Vig.I) Dept., dt. 28-7-2004.
8. From the Commissioner & Director of Agriculture, A.P., Hyderabad, Lr. No.Vig.II(1) 439/2004, dt. 23.10.2004.
9. Govt. Memo. No. 347/Vig.I(1)/97-21, Agri., & Coop., (Vig.I) Dept., dt. 27.06.2005.
10. Govt. Memo. No.347/Vig.I/1/97-26, Agri., & Coop., (Vig.I) Dept., dt.14.10.2005.
11. From the Addl. Director of Agriculture, on O.D. as Managing Director, APSSDC Ltd., Hyderabad & the Inquiry Authority, Report No. SSDC/A/2006-07, dt. 30.06.2006.
12. Govt.Memo No.AGC01-AGRI/39/2018, A & C (Vig.I) Dept., dt.28-11-2018.
13. Representation dt.12.02.2019, Sri M.Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Managing Director, A.P. State Seed Certification Agency, Hyderabad .
14. Govt.Memo.No.AGC01/139/2018, A & C (Vig.I) Dept., dt. 29.08.2019.
15. Representation Dt. 20.09.2019, Sri M.Srinivasa Raju, the then Joint Director of Agriculture Guntur and Subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad.
16. Govt. Letter. No. AGC01-AGRI/39/2018, A & C (Vig.I)Dept., dt.16.03.2022 addressed to the Secretary, A.P.P.S.C., Vijayawada.
17. From the Secretary, A.P. Public Service Commission, Vijayawada, Letter No. 145/DC&C/2022, dt. 10.05.2022

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In the reference 1st read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has submitted First Information Report against Sri M.Srinivasa Raju, the then Joint Director of Agriculture, Guntur and stated that the Accused Officer is in the possession of Disproportionate Assets to the known sources of his income to a tune of Rs.45,28,652/- and recommended to keep him in a non-focal post, away from Hyderabad, till completion of the investigation in this case.

2. Accordingly, in the reference 2nd read above, as per the instructions of the Government, the Commissioner & Director of Agriculture, A.P., Hyderabad has transferred Sri M.Srinivasa Raju, the then Joint Director of Agriculture, Guntur and posted as Joint Director of Agriculture, Kurnool in the existing vacancy and in the reference 3rd read above, the Government have issued orders, authorising the Inspector of Police, ACB, City Range-II, Hyderabad, for filing application in the Court of the Prl.Special Judge for SPE and ACB Cases, Hyderabad for attachment of his properties worth Rs.46,87,504/-

(P.T.O)

3. In the reference 4rd read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has submitted his Final Report and stated that, through collection of sufficient oral and documentary evidence, it is established that the Accused Officer is in possession of Disproportionate Assets to the known source of his income to a tune of Rs. 42,32,843/- and recommended to prosecute the Accused Officer in a Court of Law for the offence punishable under Section 13(2) r/w 13(1)(e) of Prevention of Corruption Act, 1988.

4. In the reference 5th read above, the Government have issued orders sanctioning of prosecution of Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur, under the Prevention of Corruption Act, 1988 and in the reference 6th cited, the Government have accorded sanction to initiate departmental proceedings against Sri M.Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad, under sub-clause (i) of clause (b) of sub-rule (2) of rule 9 of A.P.Revised Pension Rules, 1980 and to conduct proceedings under rule 20 of A.P.Civil Services (CCA) Rules, 1991.

5. In the reference 7th read above, the Government have issued Articles of Charge against Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur, through the Commissioner & Director of Agriculture, A.P., Hyderabad, with a direction to furnish his Written Statement of Defense (WSD), specifically admitting/denying the Charges and in the reference 8th read above, the Commissioner & Director of Agriculture, A.P., Hyderabad has forwarded the Written Statement of Defense (WSD) of the Charged Officer in which he has neither accepted nor denied the Articles of Charge issued against him.

6. In the reference 9th read above, the Government have appointed Sri S. Babu Rao, Addl. Director of Agriculture, on O.D. as Managing Director, A,P. State Seed Development Corporation Ltd., Hyderabad, as the Inquiry authority, to enquire into the Articles of Charge issued against Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad and also appointed Sri D. Rushyendranath, Addl. Director of Agriculture-II, O/o Commissioner & Director of Agriculture, A.P., Hyderabad, as Presenting Officer, in the reference 10th read above, to present the case before the Inquiry Authority, on behalf of the Disciplinary Authority.

7. In the reference 11th read above, Sri S. Babu Rao, Addl. Director of Agriculture, on O.D. as Managing director, APSSDC Ltd., Hyderabad & Inquiry Authority has submitted his report without specifically stating whether the Articles of Charge issued against the Charged Officer are 'proved' or 'not proved'. Hence, the Government have rejected the Report of the Inquiry Authority and communicated it to the Charged Officer Sri M.Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad, along with explanations of the Government for it's rejection, in the reference 12th read above, calling for his explanation, if any and in the reference 13th read above, the Charged Officer has submitted his explanation requesting to drop further action in the matter.

8. The Government have examined the case, in consultation with the advisory department and taken a provisional decision to impose the penalty of "Withholding of 10% of Pension for a period of (5) years" against Sri M.Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad, under rule 9 of A.P. Revised Pension Rules, 1980.

9. Accordingly, in the reference 14th read above, the Government have issued a Notice to the Charged Officer Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad, with a direction to show-cause as to why the penalty of "Withholding of 10% of Pension for a period of (5) years" should not be imposed against him for the Articles of Charge issued against him are held proved and in the reference 15th read above, the Charged Officer has submitted his representation, requesting to drop further action in the matter in the interest of natural and equality of justice.

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10. The Government have not considered the above representation of the Charged Officer Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad, since he has not produced any new material or evidence that has the effect of changing the nature of the case, and decided to impose the above penalty of "Withholding of 10% of Pension for a period of (5) years" against him.

11. As per Regulation 17 of APPSC Regulations, 1963, the Government have addressed the Secretary, A.P. Public Service Commission, Vijayawada, in the reference 16th read above, to place the proposal of the Government to impose the above penalty of "Withholding of 10% of Pension for a period of (5) years" against Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad, before the Commission and obtain its concurrence and communicate the same to the Government, for further action in the matter.

12. In the reference 17th read above, the Secretary, A.P. Public Service Commission, Vijayawada has informed that the Commission has agreed with the proposal of the Government to impose the penalty of "Withholding of 10% of Pension for a period of (5) years" against Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P.State Seed Certification Agency, Hyderabad and advised accordingly.

13. The Government, after careful examination of the matter, hereby, impose the penalty of "Withholding of 10% of Pension for a period of (5) years" against Sri M. Srinivasa Raju, the then Joint Director of Agriculture, Guntur and subsequently retired as Addl.Director of Agriculture and on deputation as Managing Director, A.P. State Seed Certification Agency, Hyderabad, under A.P. Revised Pension Rules, 1980, for the Articles of Charge issued against him are held proved.

14. The Special Commissioner of Agriculture, A.P., Guntur shall take further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:

Sri M. Srinivasa Raju, Addl.Director of Agriculture and on deputation as
Managing Director, A.P.State Seed Certification Agency, Hyderabad (Retd.)
(through the Spl.Commissioner of Agriculture, A.P., Guntur)
The Special Commissioner of Agriculture, A.P., Guntur.

Copy to:

The Prl. Accountant General, A.P., Vijayawada.
The Director General, ACB, Pandit Nehru Bus Station,
NTR Administrative Block, 2nd Floor, Vijayawada, A.P.
The Director of Treasuries & Accounts, A.P., Vijayawada.
The District Treasury Officer, Guntur
The Joint Director of Agriculture, Guntur.
The Director, A.P.State Seeds Certification Agency, Guntur.
The P.S. to Secretary, A.P.P.S.C., Vijayawada.
The OSD to Minister for Agriculture, A.P.
The OSD to Vigilance Commissioner, A.P.V.C.,
Block-5, 1st Floor, A.P., Secretariat.
Sf/Sc

// FORWARDED BY ORDER//

SECTION OFFICER